

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

VERITIV OPERATING COMPANY,

Plaintiff,

vs.

BRIAN PHILLIPS, and ABBEY ROEDEL,

Defendants.

8:24CV38

**STIPULATED PRELIMINARY
INJUNCTION**

On January 31, 2024, Plaintiff Veritiv Operating Company (“Veritiv”) initiated this case and contemporaneously filed a Motion for Temporary Restraining Order against Defendants Brian Phillips and Abbey Roedel, collectively (“Defendants”). [Filing No. 4](#). On February 1, 2024, the Court granted, in part, Veritiv’s request for a temporary restraining order and scheduled a hearing on Plaintiff’s motion for preliminary injunction for February 2, 2024. [Filing No. 13](#). Later that day, at Veritiv’s request, the Court continued the hearing until February 5, 2024. [Filing No. 15](#).

In the TRO, the Court enjoined Defendants from using or disclosing Veritiv’s confidential information and trade secrets; ordered Defendants to immediately preserve all relevant evidence in their possession, including any information they obtained from Veritiv during or after their employment; and required Veritiv to post a \$10,000 bond. [Filing No. 13](#). The TRO was set to expire at 11:59 p.m. on February 6, 2024.

After the entry of the TRO, Defendants each retained counsel. The parties then communicated concerning the terms of the original TRO and the upcoming preliminary injunction hearing. As a result of their discussions, the Parties reached an agreement concerning a requested modification and extension of the existing original TRO, as well

as a continuation of the preliminary injunction hearing in order to more fully prepare and present their respective positions to the Court.

On February 5, 2024, the Court held a hearing, where the Parties informed the Court they had reached an agreement on a Stipulated TRO and a continuance of the Preliminary Injunction Hearing. Based on this agreement, the Court entered the Stipulated TRO and continued the Preliminary Injunction Hearing until March 6, 2024. [Filing No. 25](#).

The Parties have since communicated further and have reached a joint agreement concerning a Stipulated Preliminary Injunction, [Filing No. 26](#), negating the need for the Preliminary Injunction Hearing set for March 6, 2024.

Having reviewed the parties' proposed stipulated preliminary injunction, the Court finds good cause exists to adopt its terms. Accordingly,

IT IS ORDERED:

1. The parties' joint motion for stipulated preliminary injunction, [Filing No. 26](#), is granted.
2. Defendants, as well as those who are in active concert or participation with them, if any, are enjoined from using or disclosing Veritiv's confidential information and trade secrets.
3. Defendants, as well as those who are in active concert or participation with them, if any, are ordered to immediately preserve all relevant evidence in their possession, including any information they obtained from Veritiv during or after their employment.

4. Defendants, as well as those who are in active concert or participation with them, if any, are ordered to return to Plaintiff any and all Veritiv tangible property in their possession, custody or control, by February 9, 2024, and any and all Veritiv intangible property in their possession, custody or control, such as electronic files and e-mails, by February 16, 2024.
5. By consenting to the entry of this Stipulated Preliminary Injunction, no Party admits to any liability, wrongdoing, predicate facts for the issuance of the injunction, or any violation of any statutory or contractual obligations.
6. The \$10,000 bond previously set for the temporary restraining order remains in effect as to the preliminary injunction.
7. The hearing presently set for March 6, 2024, is hereby cancelled.

Dated this 13th day of February, 2024.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge